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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

2

Application Number	10/605,090
Filing Date	9/3/03
First Named Inventor	WILHELM HABERKORN
Art Unit	3751
Examiner Name	Charles Phillips

Attorney Docket Number

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p style="margin-left: 20px;"><i>Letter to the Commissioner for Patents</i></p>
Remarks		

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Signature

Typed or printed name

W.A. Haberkorn

Date

1-13-05

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JAN 13 2006

January 13, 2006

In regards to: Patent Application 10/605,040

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
FAX: (571) 273-8300

Dear Commissioner:

SUBJECT: UNINTENTIONAL DELAY

Failure to understand the required process on my part resulted in an **unintentional delay** at the Patent Office, and an abandonment of my referenced patent application. On 8/16/2005, a Notice of Allowance was issued with **No Fees Due**. I wrongly assumed, that no response on my part was required to achieve publication of said application.

Because of this misunderstanding, I am charged \$750 to file a petition to revive my patent application. My error was not to FAX a single sheet of paper, part B fee transmittal with **no fee due**, to another unit within your organization. I find this penalty excessive.

Let me suggest an alternate solution. Let us assume the Patent Office would have charged some administrative fee, say \$10, in the Notice of Allowance on 8/16/2005, and then I would have returned the payment post haste and avoided the penalty all together.

I have seen tremendous progress and simplification over the past few years in dealing with the Patent Office, and I hope that this letter supports your efforts to un-clutter administrative processes.

Sincerely,



Wilhelm Haberkorn